

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)

v.)

ALBERT FRANKLIN, JR.)

Case No. 3:10-00055(1)

Judge Haynes

ORDER

*For the reasons
stated in
open*

MOTION TO SUPPRESS SEARCH WARRANT and for FRANKS HEARING

court,

*this
motion*

is DENIED.

Comes the Defendant, Albert Franklin, Jr., through counsel, and moves the Court to suppress the fruits of the search warrant for lack of probable cause, and for an evidentiary hearing per Franks v. Delaware, 438 U.S. 154 (1978). In support Defendant submits the following:

*[Signature]
12/17/13
7-19-13*

Relevant Facts

The relevant alleged facts underlying the instant case and provided to the defense through discovery are that on January 26, 2010 a Confidential Informant working with the Nashville Metro Police traveled to Mustang Sally's Bar in Nashville, to conduct a controlled sale of (placebo) Oxycontin pills with the Defendant Albert Franklin as the buyer. As part of the operation, while the Confidential Informant was driving to the Bar, the Confidential Informant stopped along the way and picked up Anthony Griffin, who is the codefendant in this case.

Upon arriving at the Bar the Confidential Informant and the codefendant Griffin entered the Bar. The Defendant Franklin and other persons were present in the bar. The government then alleges that the Defendant Franklin pointed a .357 revolver at the Confidential Informant and told him to leave the Bar, and leave the pills. The Confidential Informant then exited then bar, where police officers who had been